

The Honorable James L. Robart

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

| | | |
|--|---|---------------------------------|
| CASCADE FRESH, INC., a Washington Corporation, |) | |
| |) | Civil Action No. 07-cv-0373-JLR |
| Plaintiff, |) | |
| |) | AGREED MOTION FOR |
| v. |) | EXTENSION OF TIME TO FILE |
| |) | COMBINED JOINT STATUS REPORT |
| |) | AND DISCOVERY PLAN |
| LIFEWAY FOODS, INC, an Illinois Corporation, |) | |
| |) | <u>Noted for Consideration:</u> |
| Defendant. |) | July 6, 2007 |
| |) | |

Plaintiff Cascade Fresh, Inc. ("Cascade"), with the consent of Defendant Lifeway Foods, Inc. ("Lifeway"), moves for an Order extending the due date for filing the Joint Status Report and Discovery an additional three weeks to allow the parties time to reach a settlement of this action.

Defendant has agreed to the requested three-week extension.

The Court originally set May 18, 2007 as the date for the parties to file their Combined Joint Status Report and Discovery Plan. Pursuant to Court order, the deadline was extended to July 6, 2007 for the parties to file the Combined Joint Status Report and Discovery Plan. The parties are continuing to pursue their settlement negotiations. Additionally, Defendant has agreed to waive service of the Summons and Complaint, but has not yet formally appeared in the action and no responsive pleading has been filed.

AGREED MOTION FOR EXTENSION OF TIME TO
FILE COMBINED JOINT STATUS REPORT AND
DISCOVERY PLAN (CV07-0373-JLR)..... 1

SEED IP Law Group PLLC
701 Fifth Avenue, Suite 5400
Seattle, Washington 98104
(206) 622-4900

1 Accordingly, Plaintiff requests that the time to file a Combined Joint Status Report and
2 Discovery Plan as required by Federal Rule of Civil Procedure 26(f) be extended three weeks
3 from July 6, 2007 to July 27, 2007.

4 DATED this _____ day of July, 2007, at Seattle, Washington.

5 Respectfully submitted,

6 SEED IP LAW GROUP PLLC
7

8
9 _____
Kevin S. Costanza, WSBA No. 25,153
701 Fifth Avenue, Suite 5400
10 Seattle, Washington 98104
Telephone: (206) 622-4900
11 Facsimile: (206) 682-6031
Email: KevinC@SeedIP.com
12

13 Attorney for Plaintiff
14 CASCADE FRESH, INC.
15

16 985464_1.DOC
17
18
19
20
21
22
23
24
25
26
27

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of July, 2007, a copy of the foregoing **AGREED MOTION FOR EXTENSION OF TIME TO FILE JOINT STATUS REPORT AND DISCOVERY PLAN** was served on counsel for Defendant Lifeway Foods, Inc., by email, with confirmation copy by U.S. first-class mail, postage prepaid, at the following addresses:

Timothy Lavender, Esq.
KELLEY DRYE & WARREN LLP
333 West Wacker Drive, Suite 2600
Chicago, Illinois 60606
Email: tlavender@kelleydrye.com

Attorney for Defendant Lifeway Foods, Inc.